

Dated: March 5, 2004.

**John C. Weicher,**

*Assistant Secretary for Housing—Federal Housing Commissioner.*

[FR Doc. 04–5396 Filed 3–9–04; 8:45 am]

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**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. FR–4917–N–01]

**Mortgage and Loan Insurance Programs Under the National Housing Act—Debenture Interest Rates**

**AGENCY:** Office of the Assistant Secretary for Housing-Federal Housing Commissioner, HUD.

**ACTION:** Notice.

**SUMMARY:** This notice announces changes in the interest rates to be paid on debentures issued with respect to a loan or mortgage insured by the Federal Housing Commissioner under the provisions of the National Housing Act (the Act). The interest rate for debentures issued under section 221(g)(4) of the Act during the 6-month period beginning January 1, 2004, is 5¼ percent. The interest rate for debentures issued under any other provision of the Act is the rate in effect on the date that the commitment to insure the loan or mortgage was issued, or the date that the loan or mortgage was endorsed (or initially endorsed if there are two or more endorsements) for insurance, whichever rate is higher. The interest rate for debentures issued under these other provisions with respect to a loan or mortgage committed or endorsed during the 6-month period beginning January 1, 2004, is 5⅓ percent. However, as a result of a recent amendment to section 224 of the Act, if an insurance claim relating to a mortgage insured under sections 203 or 234 of the Act and endorsed for insurance after January 23, 2004 is paid cash, the debenture interest rate for purposes of calculating a claim shall be the monthly average yield, for the month in which the default on the mortgage occurred, on United States Treasury Securities adjusted to a constant maturity of 10 years.

**FOR FURTHER INFORMATION CONTACT:** L. Richard Keyser, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 2232, Washington, DC 20410–8000; telephone (202) 755–7500 (this is not a toll-free number). Individuals with speech or hearing impairments may access this number through TTY by calling the toll-free Federal Information Relay Service at 1–800–877–8339.

**SUPPLEMENTARY INFORMATION:** Section 224 of the National Housing Act (12 U.S.C. 1715o) provides that debentures issued under the Act with respect to an insured loan or mortgage (except for debentures issued pursuant to Section 221(g)(4) of the Act) will bear interest at the rate in effect on the date the commitment to insure the loan or mortgage was issued, or the date the loan or mortgage was endorsed (or initially endorsed if there are two or more endorsements) for insurance, whichever rate is higher. This provision is implemented in HUD’s regulations at 24 CFR 203.405, 203.479, 207.259(e)(6), and 220.830. These regulatory provisions state that the applicable rates of interest will be published twice each year as a notice in the **Federal Register**.

Section 224 further provides that the interest rate on these debentures will be set from time to time by the Secretary of HUD, with the approval of the Secretary of the Treasury, in an amount not in excess of the annual interest rate determined by the Secretary of the Treasury pursuant to a statutory formula based on the average yield of all outstanding marketable Treasury obligations of maturities of 15 or more years.

The Secretary of the Treasury (1) has determined, in accordance with the provisions of Section 224, that the statutory maximum interest rate for the period beginning January 1, 2004, is 5⅓ percent; and (2) has approved the establishment of the debenture interest rate by the Secretary of HUD at 5⅓ percent for the 6-month period beginning January 1, 2004. This interest rate will be the rate borne by debentures issued with respect to any insured loan or mortgage (except for debentures issued pursuant to Section 221(g)(4)) with insurance commitment or endorsement date (as applicable) within the first 6 months of 2004.

For convenience of reference, HUD is publishing the following chart of debenture interest rates applicable to mortgages committed or endorsed since January 1, 1980:

Effective interest rate	On or after	Prior to
9½ .....	Jan. 1, 1980 ....	July 1, 1980.
9⅞ .....	July 1, 1980 ....	Jan. 1, 1981.
11¾ .....	Jan. 1, 1981 ....	July 1, 1981.
12⅞ .....	July 1, 1981 ....	Jan. 1, 1982.
12¾ .....	Jan. 1, 1982 ....	Jan. 1, 1983.
10¼ .....	Jan. 1, 1983 ....	July 1, 1983.
10⅜ .....	July 1, 1983 ....	Jan. 1, 1984.
11½ .....	Jan. 1, 1984 ....	July 1, 1984.
13⅜ .....	July 1, 1984 ....	Jan. 1, 1985.
11⅞ .....	Jan. 1, 1985 ....	July 1, 1985.
11⅞ .....	July 1, 1985 ....	Jan. 1, 1986.

Effective interest rate	On or after	Prior to
10¼ .....	Jan. 1, 1986 ....	July 1, 1986.
8¼ .....	July 1, 1986 ....	Jan. 1, 1987.
8 .....	Jan. 1, 1987 ....	July 1, 1987.
9 .....	July 1, 1987 ....	Jan. 1, 1988.
9⅓ .....	Jan. 1, 1988 ....	July 1, 1988.
9⅜ .....	July 1, 1988 ....	Jan. 1, 1989.
9¼ .....	Jan. 1, 1989 ....	July 1, 1989.
9 .....	July 1, 1989 ....	Jan. 1, 1990.
8⅓ .....	Jan. 1, 1990 ....	July 1, 1990.
9 .....	July 1, 1990 ....	Jan. 1, 1991.
8¾ .....	Jan. 1, 1991 ....	July 1, 1991.
8½ .....	July 1, 1991 ....	Jan. 1, 1992.
8 .....	Jan. 1, 1992 ....	July 1, 1992.
8 .....	July 1, 1992 ....	Jan. 1, 1993.
7¾ .....	Jan. 1, 1993 ....	July 1, 1993.
7 .....	July 1, 1993 ....	Jan. 1, 1994.
6⅝ .....	Jan. 1, 1994 ....	July 1, 1994.
7¾ .....	July 1, 1994 ....	Jan. 1, 1995.
8⅜ .....	Jan. 1, 1995 ....	July 1, 1995.
7¼ .....	July 1, 1995 ....	Jan. 1, 1996.
6½ .....	Jan. 1, 1996 ....	July 1, 1996.
7¼ .....	July 1, 1996 ....	Jan. 1, 1997.
6¾ .....	Jan. 1, 1997 ....	July 1, 1997.
7⅓ .....	July 1, 1997 ....	Jan. 1, 1998.
6⅜ .....	Jan. 1, 1998 ....	July 1, 1998.
6⅓ .....	July 1, 1998 ....	Jan. 1, 1999.
5½ .....	Jan. 1, 1999 ....	July 1, 1999.
6⅓ .....	July 1, 1999 ....	Jan. 1, 2000.
6½ .....	Jan. 1, 2000 ....	July 1, 2000.
6½ .....	July 1, 2000 ....	Jan. 1, 2001.
6 .....	Jan. 1, 2001 ....	July 1, 2001.
5⅞ .....	July 1, 2001 ....	Jan. 1, 2002.
5¼ .....	Jan. 1, 2002 ....	July 1, 2002.
5¾ .....	July 1, 2002 ....	Jan. 1, 2003.
5 .....	Jan. 1, 2003 ....	July 1, 2003.
4½ .....	July 1, 2003 ....	Jan. 1, 2004.
5⅓ .....	Jan. 1, 2004 ....	July 1, 2004.

Section 215 of HUD’s 2004 Appropriations Act amended section 224 of the Act, to change the debenture interest rate for purposes of calculating certain insurance claim payments made in cash. Therefore, effective immediately, for all claims paid in cash on mortgages insured under section 203 or 234 of the National Housing Act and endorsed for insurance after January 23, 2004, the debenture interest rate will be the monthly average yield, for the month in which the default on the mortgage occurred, on United States Treasury Securities adjusted to a constant maturity of 10 years, as found in Federal Reserve Statistical Release H–15. The Federal Housing Administration is in the process of making conforming amendments to applicable regulations to fully implement this recent change to section 224 of the Act.

Section 221(g)(4) of the Act provides that debentures issued pursuant to that paragraph (with respect to the assignment of an insured mortgage to the Secretary) will bear interest at the “going Federal rate” in effect at the time the debentures are issued. The term “going Federal rate” is defined to mean the interest rate that the Secretary of the

Treasury determines, pursuant to a statutory formula based on the average yield on all outstanding marketable Treasury obligations of 8-to 12-year maturities, for the 6-month periods of January through June and July through December of each year. Section 221(g)(4) is implemented in the HUD regulations at 24 CFR 221.255 and 24 CFR 221.790.

The Secretary of the Treasury has determined that the interest rate to be borne by debentures issued pursuant to Section 221(g)(4) during the 6-month period beginning January 1, 2004, is 5¼ percent.

HUD expects to publish its next notice of change in debenture interest rates in July 2004.

The subject matter of this notice falls within the categorical exemption from HUD's environmental clearance procedures set forth in 24 CFR 50.19(c)(6). For that reason, no environmental finding has been prepared for this notice.

(Sections 211, 221, 224, National Housing Act, 12 U.S.C. 1715b, 1715l, 1715o; Section 7(d), Department of HUD Act, 42 U.S.C. 3535(d))

Dated: March 1, 2004.

**John C. Weicher,**

*Assistant Secretary for Housing-Federal Housing Commissioner.*

[FR Doc. 04-5312 Filed 3-9-04; 8:45 am]

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**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**Availability of Final Revised Environmental Assessment, Management Plan, and Implementation Guidance, and a Finding of No Significant Impact for Take of Nestling American Peregrine Falcons in the Contiguous United States and Alaska for Use in Falconry**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** This notice is to announce the availability of a Final Revised

Environmental Assessment, Management Plan, and Implementation Guidance, and a Finding of No Significant Impact for take of nestling American Peregrine Falcons (*Falco peregrinus anatum*) for use in falconry. We published the Draft Revised Environmental Assessment in April 2003. We considered 945 comments in revising the assessment. After completion of the Final Revised Environmental Assessment, we also produced a Finding of No Significant Impact for the action.

**ADDRESSES:** The documents are available from the Division of Migratory Bird Management, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Mail Stop 4107, Arlington, Virginia 22203-1610. They also are available on the Division of Migratory Bird Management Web pages at <http://migratorybirds.fws.gov>.

**FOR FURTHER INFORMATION CONTACT:** Dr. George T. Allen, Division of Migratory Bird Management, U.S. Fish and Wildlife Service, at 703-358-1714.

**SUPPLEMENTARY INFORMATION:** In the draft Revised Environmental Assessment, Management Plan, and Implementation Guidance (draft Revised EA) we considered six alternatives for take of nestling American peregrine falcons (*Falco peregrinus anatum*) in the western United States and Alaska. We accepted comment on the draft Revised EA for 60 days (68 FR 22727). We received 945 electronic or written comment letters on the draft Revised Environmental Assessment, Management Plan, and Implementation Guidance. Fifteen were from State or Federal agencies; 930 were from individuals and organizations. Thirteen agency responses favored allowing take of nestlings, and two responses were neutral. Of the individual and organization comments received, 6 opposed take of nestlings and 929 supported allowing take. We modified the Draft Revised Environmental Assessment, Management Plan, and Implementation Guidance to respond to

concerns expressed by agencies, organizations, and individuals.

Having reviewed the comments on the draft, our proposed action is to allow take of up to 5 percent of the American peregrine falcon nestlings produced in the States west of 100° longitude, at the discretion of each State. We believe that this conservative level of take is appropriate for a species recently removed from the List of Endangered and Threatened Wildlife and Plants, and will have no discernible effect on the American peregrine falcon population in the western United States. Based on this assessment, I have signed a Finding of No Significant Impact for take of nestling American peregrine falcons under the conditions we evaluated.

Dated: March 1, 2004.

**Steve Williams,**

*Director, Fish and Wildlife Service.*

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[AZ-930-1430-ET; AZA 8736 et al.]

**Expiration of Forest Service Withdrawals and Opening of Lands; Arizona**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** Six public land orders, which withdrew 2,644 total acres of National Forest System lands from mining, have expired. This action will open the lands to mining.

**EFFECTIVE DATE:** March 10, 2004.

**FOR FURTHER INFORMATION CONTACT:** Cliff Yardley, BLM Arizona State Office, 222 North Central Avenue, Phoenix, Arizona 85004-2203, 602-417-9437.

**SUPPLEMENTARY INFORMATION:** 1. The following public land orders (PLOs), which withdrew National Forest System lands for the areas listed below, have expired:

PLO	Serial No.	Area Name	Expired	Acres
5740 .....	AZA 8736	Dragoon Spring Stage Station .....	7/29/2000	10
5749 .....	AZA 8684	Goudy Canyon Research Area .....	8/27/2000	560
5751 .....	AZA 9291	Elden Environmental Study Area .....	8/27/2000	778
5801 .....	AZA 8985	Pole Bridge Can. Research Area .....	1/6/2001	461
5835 .....	AZA 9275	Elgin Research Natural Area .....	1/22/2001	355
6217 .....	AZA 9134	Bush Highway Research Area .....	3/18/2002	480

2. Copies of the public land orders for the expired withdrawals, showing the

lands involved, are available at the BLM Arizona State Office (address above).

3. At 10 a.m. on April 9, 2004, the lands withdrawn by the public land